

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**JOHN BARNHARDT, et al.,**

**PLAINTIFFS**

**AND**

**UNITED STATES OF AMERICA,**

**PLAINTIFF-INTERVENOR**

**VS.**

**CIVIL ACTION NO. 4:65CV01300-HTW-LRA**

**MERIDIAN MUNICIPAL SEPARATE  
SCHOOL DISTRICT, et al.**

**DEFENDANTS**

**ORDER**

BEFORE THIS COURT is the private-plaintiffs' Motion to Amend/Correct [36] Order on Motion to Approve Consent Judgment [**Docket no. 40**]. In their motion, the private-plaintiffs ask this court to modify paragraph 109 of the Consent Decree [Docket 36], to change the method by which the Meridian Municipal Separate School District (hereinafter referred to as the "District") issues its reports, essentially avoiding the requirement that the United States Department of Justice must redact the personal student identifiers before releasing the report to the private-plaintiffs. The District opposes the revision but provides an alternate revision which would encompass the end result the private-plaintiffs seek. [Docket no. 43]. The private-plaintiffs agree with the District but request this court to make the agreed-to provision retroactive. [Docket no. 46] The District opposes any retroactive applicability. The United States Department of Justice, after being questioned by the court, represented that they have no position either in opposition or support.

This court has considered all of the submissions of the parties and is persuaded to grant the private-plaintiffs' Motion to Amend/Correct [36] Order on Motion to Approve Consent Judgment [**Docket no. 40**]; however, this court is not persuaded to apply retroactive effect to this

modification. This court held a hearing on June 27, 2017, with the parties wherein this court announced its conclusion and the basis for such. This court adopts the transcript of that conversation as a part of this order.

IT IS, THEREFORE, ORDERED that the parties are to submit their agreed proposed modification to paragraph 109 of the consent decree by Friday, June 30, 2017.

IT IS FURTHER ORDERED that the modification of paragraph 109 of the consent decree will have no retroactive applicability.

**SO ORDERED this the 28th day of June, 2017.**

**s/ HENRY T. WINGATE**  
**UNITED STATES DISTRICT COURT JUDGE**